

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

MARCIA L. WALLACE,

Plaintiff,

v.

CIVIL ACTION NO. 1:17-01218

NANCY A. BERRYHILL,
ACTING COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

MEMORANDUM OPINION AND ORDER

By Standing Order, this matter was referred to United States Magistrate Judge Omar J. Aboulhosn for submission of proposed findings and recommendations ("PF&R") for disposition pursuant to 28 U.S.C. § 636(b)(1)(B). See Doc. No. 4.

Magistrate Judge Aboulhosn submitted to the court his PF&R on July 21, 2017, in which he recommended that the Court deny the Claimant's Motion for Judgment on the Pleadings, see Doc. No. 16.), grant the Defendant's request to affirm the decision of the Commissioner, see Doc. No. 18, affirm the final decision of the Commissioner, and dismiss this action from the court's active docket.

In accordance with 28 U.S.C. § 636(b), the parties were allotted seventeen days in which to file any objections to Magistrate Judge Aboulhosn's PF&R. The failure of any party to

file such objections within the time allotted constitutes a waiver of such party's right to a de novo review by this court. Snyder v. Ridenour, 889 F.2d 1363 (4th Cir. 1989). Neither party filed any objections to the Magistrate Judge's PF&R within the required time period.

Accordingly, the court adopts Magistrate Judge Aboulhosn's PF&R as follows:

- 1) The Claimant's Motion for Judgment on the Pleadings, see Doc. No. 16, is **DENIED**;
- 2) The Defendant's request to affirm the decision of the Commissioner, see Doc. No. 18, is **GRANTED**;
- 3) The final decision of the Commissioner is **AFFIRMED**; and
- 4) This action is **DISMISSED** from the court's active docket.

The Clerk is further directed to forward a copy of this Memorandum Opinion and Order to counsel of record.

It is **SO ORDERED** this 30th day of August, 2017.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber
Senior United States District Judge